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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/698,101	10/31/2003	Ponani Gopalakrishnan	YOR920030447US1 (590.112)	1014
35195 7590 04/24/2008 FERENCE & ASSOCIATES LLC 409 BROAD STREET PITTSBURGH, PA 15143				
EXAMINER				
TRAN, VINCENT HUY				
ART UNIT		PAPER NUMBER		
2115				
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04/24/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/698,101

Applicant(s)

GOPALAKRISHNAN ET AL.

Examiner

VINCENT T. TRAN

Art Unit

2115

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 March 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
- Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This Office Action is responsive to the communication filed on 3/11/2008
2. Claims 1-22 are pending for examination.
3. The text of those sections of Title 35, U.S. code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-21 are rejected under 35 U.S.C. 102(c) as being anticipated by

Ativanichayaphong et al. US 200400236574 (“Ativanichayaphong”).

6. As per claim 1, Ativanichayaphong discloses a system for resource configuration in a computing system having at least one resource capable of being configured, the system comprising:

an arrangement for obtaining contextual information associated with a mobile device
[105] within the system [user preferences - paragraph 0023; 0027-0028];

an arrangement for obtaining information associated with the system [paragraph 0023-0024; 0026; 0028-0029];

an arrangement for configuring said at least one resource [multimodal interface] based upon the information associated with the mobile device and the system [paragraph 0023-0024];

wherein the resource is configured to provide the most appropriate mode of interaction for a user of the mobile device within the system; and

wherein the mobile device is capable of utilizing the resource based on the interaction needs of the user [paragraph 0024-0026; 0029];

wherein the system is a multi-modal distributed computer system [paragraph 0018].

7. As per claim 2, Ativanichayaphong discloses the contextual information with the mobile device further comprises information associated with the needs of the user of the mobile device, said information associated with the needs of the user comprising:

preferences of the user [paragraph 0023], wherein said preferences of the user comprises:

past instruction of the user; and

a history of modification employed by a user [paragraph 0027 – preferences can be systematically queries each time a user establishes a new interface session, preferences can be established and stored for later use]; and

direct indications from the user [user can establish preferences for the multimodal interface; paragraph 0027-0028].

8. As per claim 3, Ativanichayaphong discloses the information associated with the system includes information associated with the capabilities of other device located within the system,

and further wherein said mobile device is adapted to utilize the capabilities of other devices located within the system [paragraph 0018 – telephone communicatively linked to a LCD etc...].

9. As per claim 4, Ativanichayaphong discloses information associated with the system includes information associated with characteristics of an environment in which the system is located [0024].

10. As per claim 5, Ativanichayaphong discloses user preferences are determined exclusively via historical data without reference to a specific context in which the mobile device is being used [0027].

11. As per claim 6, Ativanichayaphong discloses at least one resource is configured is to allow the user operating an audio only device to utilized a display resource of another device within the system [paragraph 0018 – telephone communicatively linked to a LCD etc...].

12. As per claim 7, Ativanichayaphong discloses the at least one resource to be configured is a computing resource [0024].

13. As per claim 8, Ativanichayaphong discloses the audio only device is a mobile phone and the display device is a monitor in a conference room [see discussion in claim 6].

14. As per claim 9, Ativanichayaphong discloses the application has multiple configurations and the application is configured to be most appropriate for environment in which the mobile device is located [0024, 0028].

15. As per claim 10, Ativanichayaphong discloses the at least one resource to be configured is an information resource [0024, 0029].

Claim Rejections - 35 USC § 103

16. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

17. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

18. Claims, 11, 21-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lenchik in view of Admitted Prior Art (AP).

19. As per claim 11, Lenchik teaches a system for resource configuration in a computing system having at least one resource capable of being configured, the method comprise step of:
obtaining contextual information [col. 4 lines 1-17] associated with a mobile device within the system [203, 204 fig. 2];

obtaining information associated with the system [202 fig. 2];

configuring said at least one resource based upon the information associated with the mobile device and the system [205 fig. 2].

wherein the resource is configured to provide the most appropriate mode of interaction for a user of the mobile device within the system [fig. 3-7]¹; and

Wherein the mobile device is capable of utilizing the resource based on the interaction needs of the user.

Lenchik provides an apparatus and a method of directed to the selection of task and function icons [the resource] on a display based on an operating environment locale and historical record of previously selected functions and task within the operating environment locale to provide to most interaction needs of the user. For example, Within each locale, certain tasks are more probable than others, and consequently the representations of these more probable tasks (icons) are selected for presentation on the display. Positioning of the icons on the display is also determined by the locale. For instance, a probable task while at work might be to call an associate's telephone number, whereas a probable task while at home might be to turn on a television set. Each probable task or function might appear in a preferred part of the display based on the locale. With such a device and method, selectable function and/or task icons, based on both the present operating environment locale and previously selected function and task icons, can be positioned on the display providing a more user friendly interface to a user.

Please read col. 2 line 64 to col. 4 line 37 and col. 5 lines 7-20, as show, of the tasks and functions that are eligible for selection based on the locale, the device the task selector determines those tasks/functions that will likely be needed by the user [col. 3 lines 65-67] based on a historical record.

Lenchik does not teach the system is a multi-modal distributed computer system. However such system is well know in the art as discloses by AP. Therefore, it would have been obvious to one of ordinary skill in the art to have modify the system of Lenchik with the well know multi-modal system as taught by AP to further improve the system usability.

20. As per claim 22, Lenchik teaches the contextual information comprises:

a date associated with the mobile device; and

¹ Based on both the present operating environment locale and previously selected function and task icons, the resource [user interface] is configured to provide the most appropriate mode of interaction for a user such as telephone mode while at the office, cellular telephone mode while in a car, and remote control mode while at home etc....

a time associated with the mobile device [col. 4 lines 5-13].

Response to Arguments

21. Applicant's arguments with respect to claim 1-22 have been considered but are moot in view of the new ground(s) of rejection necessitated by amendment to the claims.

Conclusion

22. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to VINCENT T. TRAN whose telephone number is (571)272-7210. The examiner can normally be reached on 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas c. Lee can be reached on (571) 272-3667. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Vincent T Tran/
Examiner, Art Unit 2115

/Thomas Lee/
Supervisory Patent Examiner, Art Unit 2115

Application Number**Application/Control No.**

10/698,101

Examiner

VINCENT T. TRAN

**Applicant(s)/Patent under
Reexamination**

GOPALAKRISHNAN ET AL.

Art Unit

2115